

what we do to try to lift the arms embargo, there is some excuse why it is not the right time to do it.

I say this as a person who, in his first month or two as a U.S. Senator, offered the first resolution I ever offered in this body to lift the arms embargo on the Bosnian Moslems. That was 2½ years ago.

The situation in Bosnia today would be very, very different had we lifted the arms embargo at that time. I have appreciated the fact that we have had, on many occasions, a good bipartisan effort to try to lift this arms embargo. If I can pick one issue since I have been here that really has not been partisan and should not be partisan, it would be this very issue.

So I look forward to the debate when this comes up. Nothing could be more urgent. I hope very much that we have an overwhelming vote in favor of the proposal, as at least described by the leader in his remarks.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that I may speak for as long as I need to speak on the proposal for urban regulatory relief zones in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### URBAN REGULATORY RELIEF ZONES

Mr. ASHCROFT. Mr. President, one of the main challenges, which we face as a society, that relates to the regulatory climate in America is the condition of our urban centers.

Today, many of our cities have become hopeless arenas of decay and despair. They are places where industry used to flourish, places where productivity used to take place. But the fact is that the number of enterprises in cities is plummeting. Just in the last 20 years, you can note that the number of businesses which inhabit our urban centers has gone down dramatically.

St. Louis, MO, has had a 32-percent decline in the number of businesses, from 3,497 businesses in 1972 to 2,386 businesses in 1992. Detroit, MI, for example, went from 6,945 businesses in 1972 to 3,448 businesses in 1992—a 50-percent decrease. So we see that one of our problems is that not only have cities become a difficult place for individuals, they have become a difficult place for businesses and industry.

As a matter of fact, it is important for us to understand, Mr. President, that this is a problem which is related to the notion that people who do not

have jobs are at peril. The entirety of our regulatory framework is designed to deal with the well-being of individuals, to promote their health, their safety, and, hopefully, to extend their longevity, so that people live longer, so that they have an opportunity for a quality existence.

But the truth of the matter is at the very core of our urban societies. We have the biggest challenges that relate to health. We have the biggest challenges that relate to longevity, and the biggest challenges that relate to personal security.

America's urban areas suffer a murder every 22 minutes, a robbery every 49 seconds, an aggravated assault every 30 seconds. In a survey of the parents of first- and second-graders in Washington, DC, 31 percent of those said that they worried a lot about their children being involved in violence; almost 40 percent of the low-income urban parents worried about their children being shot. That is a quality of life issue. Thirty-one percent of the first and second graders in Washington, DC, reported witnessing shootings. One out of every three children had witnessed a shooting, and 39 percent said they had seen dead bodies. These are first and second graders.

We have a major challenge that relates to the security, the safety, and the health and well-being of our citizens in our urban centers. One out of every 24 black males in America will have his life ended by homicide. Our urban centers are so hopeless and filled with despair, and opportunity is so absent, that we find that the challenge is the challenge to stay alive. There is a death sentence for 1 out of every 24 black males.

The New England Journal of Medicine stated that a young black man living in Harlem is less likely to live to the age of 40 than a young man living in Bangladesh, which is perhaps the poorest of all of the nations on the face of the Earth. These things are startling. These things bother us. The pathologies of urban America are very challenging.

What is really stunning is the fact that the absence of work opportunity at the very heart of America's cities has been a big part of this condition. Youngsters in our urban settings are known to drop out at much higher rates than in other settings. Why? Some say it is because those youngsters in our schools do not see work opportunities, they do not see the promise or hope of doing something worthwhile with their lives upon graduation. Why persist in school if there will be nothing for you to do when you graduate? It is in that setting that we need to take a careful look at the way in which regulation has had an impact on what happens in our urban settings.

I became sensitized to this, Mr. President, when I was spending a lot of time with the people last year. I would work in a variety of settings in my campaign for the U.S. Senate. Across

the State of Missouri, both in Kansas City and St. Louis, I encountered businesses that wanted to expand but could not. They wanted to grow and they wanted to offer more employment and they wanted to build the arena of opportunities. But they could not do it because of regulations—regulations that throttled them.

Just yesterday, I spoke about Anpaul Windows, a company whose employees—over half of them—were minorities. They were doing very well and the company needed to expand, but they had to leave the oppressive regulatory environment of the urban center for the green fields of suburbia because there were no contaminants in the green fields of suburbia. You could build a new factory there, and everything was in accordance with the way the factories were supposed to be, and you did not have to worry about the historic old buildings, or the prohibition about whether or not you could make a 8-foot door or a 10-foot door because of the historic designation of the factory.

What happened was the Anpaul Window Co. left the city of St. Louis, which left the city that much emptier. They are doing well. It is in Washington, MO, not Washington, DC. But it is 50 or 60 miles away from the people who need the jobs the most. They went to a new green field, but they did so because the regulatory framework really militates against jobs, industry, and development in the heart of our cities. All of those old factories and all of those old plants do not comply with all the new regulations. Lots of times, there is just a little narrowness in the door, or maybe a taint of some substance in the flooring. And the EPA comes in and says, well, grind over the floor and see if you can get the taint out, and if it does not come off, there may not be something that can be done to change it.

So what we have effectively done with our regulatory framework has been to impose the tremendous cost upon the citizens of our cities. It is a cost that not only they have to pay—higher costs for goods because our things are manufactured in plants that comply with regulations—it is an opportunity cost, because the city centers do not have the opportunities for employment. They do not have the opportunities for industrial development. Those individuals do not share in the opportunities of our culture. They are not worried so much about the lead poisoning from paint, they are worried about the lead poisoning from a .38. These are real challenges that we ought to face.

Let me tell you about the printing concern in Kansas City. The president has a publishing business which has grown over the past few years; it now employs 85 people. While business is doing well, the president wants to expand the business, but there is a problem. He could expand into more parts of the building in the downtown area,

in the urban center. He wanted to move into different parts of the building, but regulations prevent such expansion. The printing company has no environmental problems. But the landlord of the building where the business is located has had a problem with trace elements of PCB's in the floor material in parts of the building. Tests have shown there are no elements of PCB's in the air. They are somehow in the material of the floor of the building.

Now, the president would probably like to expand to these other floors of the building if he could be assured that there would be no liability. As it now stands, the EPA may condemn the whole building altogether. It would cost the company about \$500,000 to move and to take all these jobs out of the city. And it looks like that is what they are going to have to do. The landlord has spent over \$250,000 so far in legal fees, and another \$100,000 trying to grind down the floors to see if he could get through all the PCB's. I suppose he probably released more PCB's into the atmosphere than could have ever happened otherwise.

The EPA, in other parts of the country, has allowed for a covering of the floor to take care of situations like this. But the EPA cannot seem to make a decision in this Kansas City concern. Here we stand to lose 85 downtown urban center jobs—the price of regulation—saying we cannot allow you to expand in this building for technical reasons that are not uniformly applied across the country.

I repeat, there have been situations where these kinds of things have been taken care of. But as it now stands, EPA's inaction has again stalled the economic progress and job growth where it was most sorely needed. If this situation is not resolved, ultimately the printing company will have to move out of the city altogether. I just want to say that these are real people. These are real situations.

We have children dying in drive-by shootings, we have individuals who cannot get jobs, we have despair, bad health, we have the lack of security, the lack of safety that comes with a hollow core of the inner cities of America, in part because we have had a regulatory red line around the inner cities, which have basically said you cannot develop in here because this stuff is old. These buildings were used in previous settings where we did not have the environmental requirements that we have now, and because they were used in those previous settings, they are full of liabilities for business. They are full of liabilities for industry. They are full of liabilities for producers.

As a result, if you want to be an industry, you want to be in business, you want to be a producer, you cannot be here, but have to go to suburbia, in the green fields, and we find ourselves hollowing out our cities. We find young people in despair turning to all kinds of things.

Under the guise of regulations that would abate noise, for instance, we get

the noise of crack cocaine. We hear the slam of the slammer door. We hear the shot of the pistol. We hear the wail of the family in the wake of the ambulance that carries away the individual who has been wounded or killed.

It is time to recognize that this economics redlining of the inner city that results from hyperregulation is costing us our ability to deliver jobs.

Make no mistake about it, make no mistake about it, we all want to have a healthier environment. But you cannot tell somebody who has a 1 in 25 chance of being shot as an unemployed person on the street in one of the urban cores, you cannot tell someone that you are keeping the jobs out of there because there is a 1 in 1 million chance they might have some respiratory problem as a result of some kind of atmospheric nonattainment.

We have to weigh the real impacts of what we are seeing happen here. The real impact of regulations in many urban centers is a redlining against developments, a redlining against industry. It is a redlining against opportunity.

When we take development opportunities and industry out of the communities, we have joblessness, lawlessness, hopelessness. Those are conditions that are far greater threats to the safety, security and general well-being of the population than many of the things we have sought to regulate.

What is the answer? How can we address this problem? What is it that we ought to do? I am suggesting in the Urban Regulatory Relief Zone Act that we should allow mayors of urban areas to convene economic development commissions that could make application for the waiver of specific Federal regulations when those regulations preclude jobs and development, when they preclude opportunities, when they result in the hopelessness, despair, and danger in the inner city, when they really result in a lower standard of longevity, a lower standard of health, a lower standard of safety, a lower standard of security.

When the impact of regulation has an inverse consequence—instead of promoting health, security and safety, it results in the absence of jobs and opportunities in the core of our inner cities and destroys the potential for health, security and safety—the economic development commissions of these areas ought simply to be able to make application to the Federal agencies and say to those Federal agencies, we ask for a waiver, because the imposition of the requirement in our community has the anomalous effect, has the opposite effect, of what it should have. It is causing our children to be shot. It is causing our children to drop out of school when they see no opportunity. We need to waive some of these regulations when the waiver would, in fact, elevate the health, the safety, and the employment opportunities, when the waiver would help people live longer and more productive lives than the imposition.

So the Urban Regulatory Relief Zone Act which I have proposed would simply be a way of saying it is time to make good on what our intention is. If our intention in regulation is to improve the health, safety, security, and general well-being of individuals in our urban centers where the impact of regulation has frequently been the opposite, we need to say "Let's give those urban centers the chance, through economic development commissions, to make application to have those regulatory provisions waived."

I think we all understand that we do not want to have the potential for the waiver of regulatory protections just willy-nilly. If regulations are decent or good or important, we do not want to waive them lightly.

I think it is important to note if you had those kind of economic development commissions that the law provides for, and you have the kind of public notice that the law provides for, that the people who represent the affected population would only submit such applications for waiver when they were convinced that as a result of the waiver there would be an elevation of the life expectancy, an elevation of the health and safety, an elevation of the security, the quality of life of the individuals.

Finally, this application, which under the proposed enactment would go to the Office of Management and Budget and then be referred to the various agencies, would be finally acted on by the agency. If the agency concluded, in spite of the application, that there was a substantial danger to the health and safety of the occupants, it could persist in denying relief. It could say no to the waiver. It would give authority for the EPA or other areas of regulation to say, "The impact of our regulation in that community is hurting people, not helping. The impact of our regulation is shortening people's lives. It is decreasing their health, not expanding their health. It is causing hopelessness and despair. It is causing young people to drop out of school because they see no opportunity." Yes, we ought to, in this circumstance, waive these technical requirements and, as a result, bring real benefit to the citizens of that particular area.

I believe this is a real opportunity. We have discriminated dramatically against urban residents with regulation. Regulations, invariably, are designed to make things that were done in the past illegal, to make things that happened in a previous way of doing business inappropriate.

We regulate to say you cannot do things that way anymore. There are some good reasons for that. But the institutions that worked on these things in the past are in the midst of our great cities. We have basically said you cannot work there anymore. We are reaping the harvest. We are reaping the

harvest because 40 percent of all adult men in our distressed inner cities did not work in a year that was studied recently, while a significant number worked only sporadically or part time.

Today, half of all the residents of the distressed neighborhoods in our big cities live below the federally defined poverty threshold. In 1993, that was \$14,763 for a family of four. The reason for that is, in part, we have said to businesses, we have a regulatory framework that really provides incentives for you to get out of here, for you to go to that green field in suburbia, go to a new place, leave the city alone.

We provided incentives. We have not done it purposely. We have not done it knowingly. But we have provided real incentives for people to leave the urban centers of America. And, when we leave them empty we leave the people there empty. We leave them in peril. We leave them in distress. We leave them in despair. And ultimately we leave some of them in a situation from which they can never escape.

There are those who say, "Well, you don't want to have a standard for safety or an environment that is lower in the city than it is in some other area. There has to be environmental justice." I believe in environmental justice. I believe everyone should have an equal chance at the good life that we want to enjoy. But I believe that when our requirements are shortening the lives of individuals instead of extending them, when our requirements are pulling the rug out from under the health of our population, we ought to think carefully about whether or not they are having the right effect.

I do not have the studies in my hand right now, but I think virtually all of us in this Chamber understand that when we have looked at health statistics people who are employed tend to be healthier than people who are unemployed, and people who are employed tend to be safer than people who are unemployed. There is very little that is more dangerous in an employment setting in this country than there is to be standing unemployed on the street corners of some of our urban centers.

I believe we ought to look hard at the way in which regulation has drawn a red line around the core of America's cities, the way regulation has basically said, "Do not invest here. Do not produce here. Do not do business here. You cannot get a job here." I think we ought to say to ourselves, let us allow these cities to make an evaluation. When they come to a conclusion that the general well-being of the people—when they come to the conclusion that the health and safety of the inner-city residents—would be benefited by a waiver, let us let them apply. And let us give the agency the authority to grant that waiver application, so we can bring jobs and opportunity and hope back to the center of our cities.

I believe one of the next items which we will be moving toward in the debate here in the U.S. Senate will be an item

which is referred to as welfare reform. We desperately need welfare reform. But, frankly, as much as we need welfare reform we need opportunity for individuals, because we are going to ask people to go to work and we are going to expect them to go to work. But how can we ask people in our inner cities to go to work, how can we expect them to go to work, if we continue to develop a regulatory framework which redlines the inner city and says there cannot be jobs here, there cannot be opportunity here?

Mr. President, I believe it is time for us to grant relief to the urban centers, to give them a level playing field, to give them a chance to attract business and industry that is consistent with the health and safety, the longevity, and the security of the residents of that area. Our regulatory framework has not served them well.

They have paid the higher prices that we have all talked about in the last few weeks, talking about regulation here in this Chamber. But they have also paid a tremendously higher price than just the increased cost of goods that come from regulation. They have paid the price of joblessness and they have paid the price of hopelessness. They have paid the price of looking into the eyes of their young people who have no ambition because they cannot see an opportunity in their neighborhood. That is a substantially greater price than the \$600 billion a year that it is estimated that regulation costs us in America. Oh, yes, they have paid their share of the \$600 billion. But the opportunity costs—in the very heart of American urban centers has been a tremendous opportunity cost, and it is one which we can ill-afford to ignore.

So I rise this evening in the midst of the debate on regulatory reform to say we must recognize the unique circumstances of American cities. We must give these neighborhoods at the core of America, the mature cities of America, the opportunity to have relief when, as a matter of fact, the imposition of regulations now achieves a purpose absolutely contrary to the purpose for which the law was enacted which provided for regulations. It shortens lives, impairs safety, ruins health, and destroys opportunity.

It is time for the Urban Regulatory Relief Zone Act, and I hope we have an opportunity to include that in our dealings with regulatory relief during our deliberations this week.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ASHCROFT). Without objection, it is so ordered.

## ORDER OF PROCEDURE

Mr. DOLE. Mr. President, for about the last couple of hours, 2½ hours, a number of our colleagues on both sides of the aisle have been negotiating on S. 343, the regulatory reform bill. Those negotiations are still underway. So as not to waste time, I have suggested to the distinguished Democratic leader, Senator DASCHLE, that we now proceed to consideration of S. 21, which is the Bosnian resolution, and I am hopeful we can reach that agreement and then we would continue on S. 21 and hopefully finish it tomorrow. That would give the Members who are in the negotiations on S. 343 all day tomorrow to see if they can come to some agreement on three or four important issues.

I also have asked consent that, if they reach an agreement, that I can come back to S. 343 and maybe reach some agreement on completion of that bill or complete that measure. So as soon as I hear from the Democratic leader I can advise my colleagues on the schedule for the balance of the evening.

If we cannot get the agreement, then we will come back on S. 343. There are a number of amendments that can be offered tonight, including the pending amendment by the Senator from Missouri. Senator ASHCROFT has an amendment pending. So if we cannot reach an agreement, we will come back on S. 343 tonight and the Senator's amendment will be the pending amendment, as I understand it.

There are other amendments that can be offered tonight on S. 343, so I am not at liberty to say whether or not there will be votes. But we will advise our colleagues as soon as we can.

I suggest the absence of a quorum.  
The PRESIDING OFFICER (Mr. GORTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, there has been extensive consultation between the distinguished majority leader and the Democratic leader, and we do have a unanimous-consent request to propound.

I ask unanimous consent that the pending bill, S. 343, be temporarily laid aside; that the Foreign Relations Committee be discharged from further consideration of S. 21; and that the Senate turn to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, I reserve the right to object, and it is certainly not my intention to object. Let me make one observation and note a couple of concerns, as we propound the second part of this request.